

ORIGINAL

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UNITED STATES GOVERNMENT
memorandum

DATE: November 4, 1999

REPLY TO

ATTN OF: Jay Whaley, Staff Attorney, Policy Division, Wireless
Telecommunications Bureau, Federal Communications Commission *JH.*

SUBJECT: **NOTICE OF EX PARTE PRESENTATION** -- Oral Presentation with
Representatives of Industry Groups in Calling Party Pays Service Offering
in the Commercial Mobile Radio Services, WT Docket No. 97-207

TO: Ms. Magalie Roman Salas
Secretary
Federal Communications Commission

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Pursuant to Sections 1.1204(a)(10)(iii) and 1.1206(b) of the Commission's Rules, 47
C.F.R. §§ 1.1204(a)(10)(iii), 1.1206(b), hereby submitted to the Secretary is an original
and one copy of this memorandum.

In Calling Party Pays Service Offering in the Commercial Mobile Radio Services,
Declaratory Ruling and Notice of Propose Rulemaking, WT Docket No. 97-207, FCC 99-
137 (released July 7, 1999), at para. 39 (*CPP NPRM*), the Federal Communications
Commission directed its Wireless Telecommunications Bureau to work with the states
through the National Association of Regulatory Utility Commissioners (NARUC), as
well as with interested wireless industry and consumer representatives, to develop a
consensus implementation of the Commission's calling party pays (CPP) notification
proposal. Pursuant to that directive, the Policy Division, Wireless Telecommunications
Bureau participated in a conference call with representatives of industry groups on
October 29, 1999. This memorandum summarizes the conference call conversation that
took place on October 29, 1999. The following persons were present at the conference
call in connection with the above referenced proceeding:

Michael Altschul, Cellular Telecommunications Industry Association
Brian Fontes, Cellular Telecommunications Industry Association
Pramesh Jobanputra, Cellular Telecommunications Industry Association
Dee Yankoskie, Cellular Telecommunications Industry Association
Bob Roche, Cellular Telecommunications Industry Association
Jill Canfield, National Telephone Cooperative Association
David Gusky, Telecommunications Resellers Association
Linda Oliver (Hogan & Hartson), for Telecommunications Resellers Association
Mary Madigan Jones, Personal Communications Industry Association

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Keith Townsend, United States Telecom Association
Robin Tuttle (Bennet & Bennet), for Rural Telecommunications Group
Kris Monteith, Chief, Policy Division, Wireless Telecommunications Bureau
(WTB) FCC
Joe Levin, Economist, Policy Division, WTB, FCC
Mary Woytek, Attorney, Policy Division, WTB, FCC
David Siehl, Attorney, Policy Division, WTB, FCC
Jay Whaley, Attorney, Policy Division, WTB, FCC

The FCC representatives noted that they would be meeting with representatives from consumer groups by conference call later in the day. Also mentioned was that FCC representatives had prior conference calls with representatives from NARUC.

Initial remarks by industry representatives indicated that the notification should be brief, and that CPP is most likely to benefit individuals on fixed incomes and those who want to control their wireless telephony expenditures.

The conference call then focussed on the content of the notification. Each of the four elements the FCC proposed be required in a notification announcement was discussed. As to element one, concern was expressed by industry representatives that the phrase "chosen the CPP option" might stigmatize the CPP subscriber and suggestions were offered as to how that language might be modified to prevent this. Reference was made to the discontinued CPP offering in Hawaii and earlier comments in the CPP docket to illustrate this concern.

The element two discussion focussed on the need for carrier identification. Industry representatives generally felt that carriers would want to provide their name voluntarily, and that this should be a voluntary element of the notification. Participants offered suggestions as to how the notification message and process might be streamlined through the use of a message shortcut or bypass in a menu-driven system, plus the eventual phasing out of the complete message to be replaced by a tone notification and announcement of the CPP provider's name.

The element three discussion centered on industry concerns that real-time notification of rates applicable to a CPP call could present technical difficulties. Concern was expressed that a one-size-fits-all rate disclosure could adversely affect rates. Concerns were also raised as to the availability of information on other charges that might accrue to the CPP call, and that mandated full disclosure of all rate information might be premature given the relatively low likelihood of anticompetitive behavior in this context.

Element four was generally endorsed by industry representatives, as long as the termination option is chosen affirmatively by the user, and the notice of this option does not unnecessarily lengthen the notification.

The parties also discussed further efforts to arrive at a consensus implementation.